

1 BILL NO. Z-87- 10-08

2 ZONING MAP ORDINANCE NO. Z- Withdrawn

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. L-38.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is
8 hereby designated a RA (Suburban Residential) District under
9 the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

10 Part of the Southwest Quarter of Section 14, Township
11 31 North, Range 12 East, more particularly described as
12 follows: Beginning at the point of intersection of the
13 centerline of Ludwig Road and the Northerly extension
14 of the East right-of-way of Rodenbeck Drive, a public
15 thoroughfare in Rodenbeck's Addition in the aforesaid
16 section, township and range; thence East along the said
17 centerline of Ludwig Road a distance of 755 feet more
18 or less to a point situated 20 feet west of the west
19 right-of-way line of Penn Central railroad; thence
20 south along a line 20 feet west and parallel with the
21 aforesaid railroad right-of-way line a distance of 2100
22 feet, more or less, to a point 20 feet north of the
23 north right-of-way line of Interstate Highway 69; thence
24 proceeding southwesterly on a line parallel with
25 and 20 feet north of the said north right-of-way line
of Interstate 69 a distance of 970 feet, more or less,
to the north right-of-way line of Washington Center
Road thence West along the said North line a distance
of 80 feet, more or less, to the east right-of-way line
of Rodenbeck Drive; thence northerly along the said
east right-of-way line of Rodenbeck Drive a distance of
2644 feet to the point of beginning containing 41.2
acres, more or less, and subject to all easement of
record,

26 and the symbols of the City of Fort Wayne Zoning Map No.
27 L-38, as established by Section 11 of Chapter 33 of the Code
28 of the City of Fort Wayne, Indiana are hereby changed
29 accordingly.

30 SECTION 2. That this Ordinance shall be in full force
31 and effect from and after its passage and approval by the
32 Mayor.

Janet G. Bradbury
33 Councilmember

34 APPROVED AS TO FORM AND LEGALITY:
35 B. O. Boxberger

36 BRUCE O. BOXBERGER, CITY ATTORNEY
37

Read the first time in full and on motion by Bradbury,
seconded by Redd, and duly adopted, read the second time by
title and referred to the Committee on Regulations (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: 10-13-87

S.E.K.
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: _____

S.E.K.
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____

on the _____ day of _____, 19_____,

ATTEST

SEAL

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19_____,
at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19_____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 2736

FT. WAYNE, IND.,

9-18 87
19

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

Fairbelle Cup \$ 50.00

fifty 00 DOLLARS

R-I to RA

6300 Rodenbeck

AUTHORIZED SIGNATURE

M. J. O'NEIL

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Developers Marketing Group

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an RA District the property described as follows:

Part of the Southwest Quarter of Section 14, Township 31 North, Range 12 East more particularly described as follows: Beginning at the point of intersection of the centerline of Ludwig Road and the Northerly extension of the East right-of-way Rodenbeck Drive, a public thoroughfare in Rodenbeck's Addition in the aforesaid section, township and range; thence East along the said centerline of Ludwig Road a distance of 755 feet more or less to a point situated 20 feet west of the west (Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 6300 RODENBECK DRIVE

Note Deed Record of Adjoining 20' wide Parcel D.R. 684-775
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Wilmer Rodenbeck

LaVerne LINNEMEIER

4723 Kroemer Rd

10109 BETHEL RD.

Wilmer Rodenbeck

LaVerne Linnemeyer

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Turnbell Engineering Co., Inc.

(Name)

519 Tennessee Avenue, Ft. Wayne 46805 422-4630

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

right-of-way line of Penn Central railroad; thence south along a line 20 feet west and parallel with the aforesaid railroad right-of-way line a distance of 2100 feet ± to a point 20 feet north of the north right-of-way line of Interstate Highway 69; thence proceeding southwesterly on a line parallel with and 20 feet north of the said north right-of-way line of Interstate 69 a distance of 970 feet more or less to the north right-of-way line Washington Center Road ^{thence West along the said North line} ~~a distance of 80 feet more or less to the east~~ right-of-way line of Rodenbeck Drive; thence northerly along the said east right-of-way line of Rodenbeck Drive a distance of 2644 feet to the point of beginning containing 41.2 acres more or less and subject to all easement of record.

Owners of Property

(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 13, 1987, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-10-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 19, 1987.

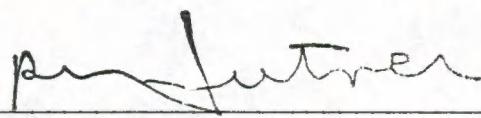
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 28, 1987.

Certified and signed this
4th day of January 1988.



Robert Hutner
Secretary

ORIGINAL

Admn. Appr.

COUNCILMANIC DISTRICT No. _____

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE _____

Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE _____

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE _____

6300 Rodenbeck Drive

3-87-10-08

EFFECT OF PASSAGE _____ Property is presently zoned R-1 - Single Family

Residential District. Property will become RA - Suburban Residential District.

EFFECT OF NON-PASSAGE _____ Property will remain R-1 - Single Family

Residential District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

FACT SHEET

Z-87-10-08

BILL NUMBER**Division of Community
Development & Planning**

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment		
From R-1 to RA		

DETAILS	POSITIONS	RECOMMENDATIONS
	Specific Location and/or Address 6300 Rodenbeck Drive	Sponsor
Reason for Project Multi Family Development	Area Affected	City Wide Other Areas
Discussion (Including relationship to other Council actions) 19 October 1987 - Public Hearing (See Attached Minutes)	Applicants/ Proponents	Applicant(s) Wilmer Rodenbeck Laverne Linnemeier City Department Other
26 October 1987 - Business Meeting This rezoning request was deferred by the City Plan Commission until such time as the developers could present a development plan to the Commission.	Opponents	Groups or Individuals See Attached Minutes for List of Opposition Basis of Opposition
28 December 1987 - Business Meeting The petitioner requested and was granted a withdrawal of the rezoning request. Of the eight members present seven (7) voted in favor of the motion to withdraw one (1) did not vote. Motion to withdraw the petition carried.	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
	Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) Withdrawn by Petitioner
	CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	Impact	
	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 18 September 1987

Projected Completion or Occupancy

Date 4 January 1988

Fact Sheet Prepared by
Patricia Biancaniello

Date 4 January 1988

Reviewed by

Date

Suey Bector
Reference or Case Number

7 January 1988

e. Bill No. Z-87-10-08 - Change of Zone #301
From R-1 to RA
6300 Rodenbeck Drive

Mark Strong with Turnbell Engineering, representing the developer appeared before the Commission. He stated that this property as presently zoned has problems considering its proximity to I-69, the airport the commercial property and railroad to the east. He stated that they are proposed to build some quality condominiums in this area. He stated that they feel it would be an excellent buffer in this space between the commercial and single family. He stated that the plans they will present at the next public hearing will provide for the streets in the development to remain separated from the neighboring areas so that they would not be increasing traffic in the Ludwig Park area. He stated also the streets would be private. He stated that they would have City water and sewer. He stated that they have proposed retention ponds which would help the neighboring areas. He stated that they have worked diligently with Ludwig Park. He stated that they had meeting with the Officers of the Association and the Association themselves. He stated that he felt they have satisfied most of their concerns.

Paul DeWald, President of the Ludwig Park Community Association stated that they had a meeting about 3 weeks ago with about 80 members of the association present. He stated that by almost a 5 to 1 margin they approved the plans presented. He stated that the Board did not vote for it the people did.

The following people spoke in opposition to the proposed development:

Nancy Kloha, 816 Ludwig Park
Robert Ohm, 937 Wolverton
Forest Anderson, 824 Ludwig Park Drive
Lavida Smith
Dave Daniels, 1223 Orlando Drive
Tom Harbst, 709 Ludwig Park Drive

The following points of opposition were stated.

- multi-family would be a detriment to the single family land values in the area;
- traffic is already a serious problem in area; Washington Center Road is inadequate for the amount of traffic it carries presently and there are no immediate plans to improve it; Ludwig Road and Coldwater Road are heavily traveled and very busy during rush hours;
- public safety for people in the area will be jeopardized if more of the land surrounding Smith Field's flight pattern is developed;

- it was stated that several years ago they wanted to use this property to put in a playground and they were informed that this property was in Smith Field's flight pattern and could not put it in, why then can they put in condominiums;

- felt they were mislead by developer at Association meeting who told them that this property could be used for low-income housing or some other less comely project than the one presented;

- what if property is rezoned and the present developers plans fall through, someone else could come in and put in a project that would not be as attractive as this one

Janet Bradbury questioned staff about the flight pattern.

Wayne O'Brien stated that Mr. Strong should be able to answer any questions about the flight pattern.

Mark Strong stated that they did not use scare tactics to obtain the support of the association. He stated that they simply pointed out that there were other possible uses for the property that would be less acceptable. He stated that they have talked to the airport several times about the project. He stated that they are concerned that they might get phone calls because of the noise level but they had no objections to the project. He stated that they plan to keep the development south several hundred feet from Ludwig Road in order to avoid the projected flight pattern. He stated that the traffic issue is something they talked about in length the night they met with the association. He stated that it is their intention at this time to prevent any of their traffic from entering Ludwig Park Association. He stated they could do that if they go with a condominium project, but if they have to go with single family they will not be able to they would have to tie their streets in with Ludwig Park. He stated that this is not a high density project considering it is less than 10 dwellings per acre. Mr. Strong stated that the quality is certainly there for this project and will not be a detriment to the areas property values.

The following people submitted letters in opposition to the proposed rezoning.

Emery Right

Mrs. Mary Smith

Gerald & Ruth A. Neu, 1018 Pelham Drive

Lillian Levy, 1025 Pelham Drive

Lavida Smith, 927 Ludwig Park Drive

Charles F. Smith, 812 Orlando Drive

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.



December 28, 1987

City Plan Commission
City of Fort Wayne

Gentlemen:

I Tom Rinehold, President of Developers Marketing Group, Inc., do respectfully request that the change of zoning located at 6300 Rodenbeck Drive and the Primary Development Plan for the Lakes of Ludwig be withdrawn.

Sincerely:

A handwritten signature in black ink that reads 'Tom Rinehold'.

Tom Rinehold, President
Developers Marketing Group, Inc.

BILL NO. Z-87-10-08

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) amending the City
of Fort Wayne Zoning Map No. L-38

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION) Withdrawn

YES

NO

Janet G. Bradbury

JANET G. BRADBURY

CHAIRPERSON

MARK E. GIAQUINTA

VICE CHAIRMAN

CHARLES B. REDD

Spang, Spangler

DAVID C. LONG

W. M. Long

PAUL M. BURNS

J. + H. Br.

CONCURRED IN 1-12-88

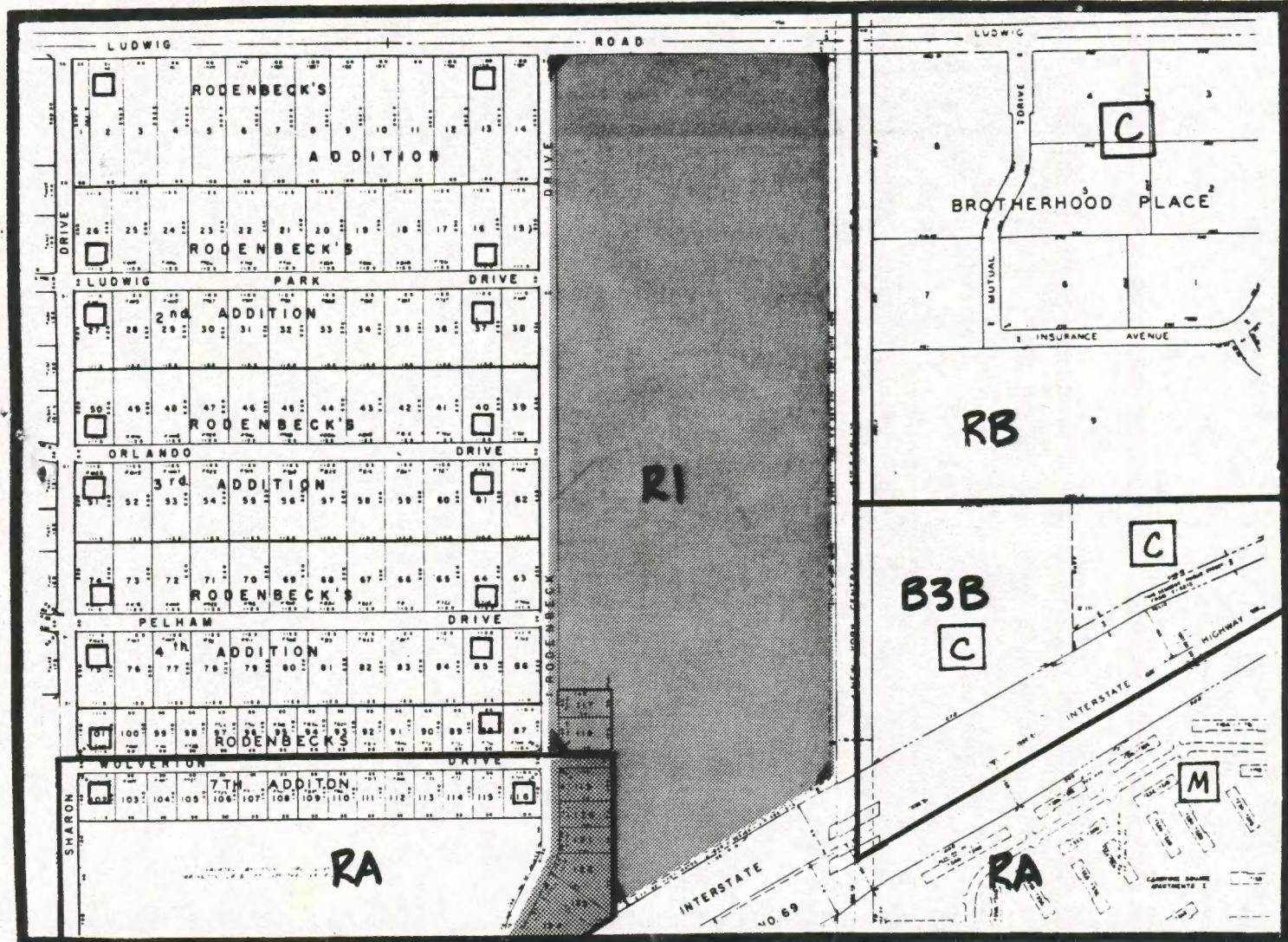
Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

REZONING PETITION #501

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A RI DISTRICT TO A RA DISTRICT.

MAP NO. L-38

COUNCILMATIC DISTRICT NO. 3



ZONING:

B3B GENERAL BUSINESS 'B'
 RA RESIDENCE 'A'
 RI RESIDENTIAL DISTRICT

LAND USE:

- SINGLE FAMILY
- MULTI-FAMILY
- COMMERCIAL

SCALE: 1" = 300'

DATE: 10-2-87

L.W. 